

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-SIXTH GENERAL ASSEMBLY

72ND LEGISLATIVE DAY

PERFUNCTORY SESSION

MONDAY, OCTOBER 5, 2009

12:05 O'CLOCK P.M.

HOUSE OF REPRESENTATIVES
Daily Journal Index
72nd Legislative Day

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The House of Representatives met in Perfunctory Session pursuant to notice from the Speaker.

REPORTS

The Clerk of the House acknowledges receipt of the following correspondence:

Semi-annual Uniform Report of DBE Awards or Commitments and Payments, and Equal Opportunity Report, submitted by Regional Transportation Authority, Suburban Bus Division on October 1, 2009.

Economic Opportunity Investments Report, submitted by State Board of Investment on October 1, 2009.

River Edge Redevelopment Zone Program, 2009 Annual Report, submitted by Department of Commerce and Economic Opportunity on October 2, 2009.

Kane County Transportation Empowerment Fund Received, Obligated, Contracted, and Expensed, submitted by County of Kane on October 2, 2009.

Annual Report on Economic Opportunity Investments, submitted by State Board of Investment on October 5, 2009.

Semi-annual Uniform Report of Disadvantaged Business Enterprise Awards or Commitments and Payments, submitted by Chicago Transit Authority on October 5, 2009.

Monthly Briefing, September 2009, submitted by Commission on Government Forecasting and Accountability on October 5, 2009.

LETTER OF TRANSMITTAL

October 5, 2009

Mark Mahoney
Chief Clerk of the House
402 State House
Springfield, IL 62706

Dear Clerk Mahoney:

Pursuant to House Rule 9(a), by this letter I am establishing that the House of Representatives will have **Perfunctory time** on **Monday, October 5, 2009**.

With kindest personal regards, I remain

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

MESSAGES FROM THE GOVERNOR**OFFICE OF THE SECRETARY OF STATE****JESSE WHITE – Secretary of State**

October 5, 2009

To the Honorable Speaker of the House:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed House Bills that have been reduced in part (Line Items Reduced) by the Governor.

| HOUSE BILLS | PUBLIC ACT |
|-------------|------------|
| 2129 | 96-0113 |
| 2132 | 96-0114 |

Respectfully,
s/Jesse White
Secretary of State

October 5, 2009

To the Honorable Speaker of the House:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed House Bills from the 96th General Assembly, that are being returned by the Governor with specific recommendations for change.

HOUSE BILLS

| | | |
|------|------|------|
| 0059 | 0557 | 1322 |
| 0070 | 0613 | 1994 |
| 0170 | 0723 | 2279 |
| 0204 | 0725 | 2383 |
| 0237 | 0745 | 2444 |
| 0276 | 0746 | 2445 |
| 0363 | 0758 | 2547 |
| 0366 | 0927 | 3325 |
| 0382 | 1015 | 3642 |
| 0489 | 1098 | 3971 |
| 0547 | 1115 | 4096 |

Respectfully,
s/Jesse White
Secretary of State

October 5, 2009

To the Honorable Speaker of the House:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed House Bills from the 96th General Assembly as vetoed by the Governor together with his objections.

HOUSE BILLS

0007
0208
0396
0548
0669
3705

Respectfully,
s/Jesse White
Secretary of State

**OFFICE OF THE GOVERNOR
PAT QUINN**

July 31, 2009

To the Honorable Members of the
Illinois House of Representative
96th General Assembly

Today I return House Bill 2129 to the House of Representatives with a reduction totaling \$106,685,300.

House Bill 2129 appropriates funds to the Illinois State Board of Education for fiscal year 2010. It is deeply painful to me to be forced to make these cuts in programs which I consider critical to the future of the State of Illinois. When we invest in the education of our young people, we ensure decades of dividends, both economic and social. When we are forced to limit those early investments in our children's academic potential, the results are felt for years to come.

Consistent with my principles, I am ensuring that Illinois will continue to secure the maximum funding available to us through the ARRA State Fiscal Stabilization Fund. I also will ensure that special education and transportation services are fully funded, as requested by the State Board of Education. Finally, despite unprecedented budget difficulties, I will provide a \$160 per student increase in the Foundation Level, providing \$6,119 per student through the General State Aid formula. I wish that I could provide a greater increase, but I cannot in good conscience support an increase in funding for General State Aid above the level provided last year.

This increase is consistent with my Administration's ongoing commitment to provide quality education for all of the children of our State. Increasing the foundation level is a step towards providing the education that our children deserve. I am heartened that, by acting on this bill today, we can take that important step.

Earlier today, I announced the allocation of \$3.4 billion in funds appropriated by the General Assembly. My allocation of those funds includes restoration of \$150 million for the Illinois State Board of Education, including \$85 million for early childhood education and \$11 million for bilingual programs. By allocating these funds, I am providing only 90% of last year's funding, but I believe I am ensuring that the State of Illinois continues to shoulder its obligations to our most vulnerable children, in hopes of providing them with brighter futures.

Unfortunately, even with our best efforts, the State of Illinois simply does not have adequate funds to meet all of its financial responsibilities in this fiscal year. Accordingly, our State's inadequate financial resources compel the necessary reductions I am making today. I would add only that this action represents our very best effort to balance our responsibilities to the next generation against the grim realities of our State's current fiscal condition.

Therefore, pursuant to Article IV, Section 9(d) of the Illinois Constitution of 1970, I hereby reduce and return an appropriation item included in House Bill 2129, entitled "AN ACT making appropriations" with a reduction totaling \$106,685,300.

Reductions

I hereby reduce the appropriation item listed below and approve the amount set forth in the "Reduced Amount" column below:

| Article | Section | Page | Line(s) | Amount Enacted | Reduced Amount |
|----------------|----------------|-------------|----------------|---------------------------|---------------------------|
| 1 | 15 | 2 | 9 | 295,743,800 | 189,058,500 |

In addition to this specific reduction, I hereby approve all other appropriation items in House Bill 2129.

Sincerely,
s/Pat Quinn
Governor

July 31, 2009

To the Honorable Members of the
Illinois House of Representative
96th General Assembly

Today I return House Bill 2132 with reduction vetoes in the amount of \$24,787,470.

This bill appropriates funds to institutions of higher education for Fiscal Year 2010.

Throughout my life, I have been proud of the State of Illinois's deep commitment to higher education. From 1862, when President Abraham Lincoln established land-grant universities, the State of Illinois has invested in higher education for its promising young people, making the rewards of learning available to everyone, not just the privileged few.

Therefore, it is painful for me to take this action to reduce the State of Illinois' financial support of its universities and community colleges. It is deeply unfortunate that our current revenues are simply inadequate to meet all of the State's responsibilities to our students. Even with our best efforts, the State of Illinois simply does not have adequate funds to meet all of its financial responsibilities in this fiscal year. I would add that this action represents our very best effort to balance our responsibilities to our college students against the grim realities of our State's current fiscal condition.

Although the state's current financial straits force me to take this reduction action, I would stress that today's action

maintains funding at Fiscal Year 2009 levels. Consistent with my principles, I am ensuring that Illinois will continue to secure the maximum funding available to us through the ARRA State Fiscal Stabilization Fund. Also, earlier today, I announced the allocation of \$3.4 billion in funds appropriated by the General Assembly. My allocation of those funds includes restoration of \$27 million for community adult education and GED services. I hope those funds will make it possible for adults across Illinois to access the education and training they need to find employment in these difficult times and work toward a brighter future.

I know that this reduction will be felt throughout our higher education system; I can only hope that our universities and community colleges will do their best to continue to provide unsurpassed educational opportunities to their students during this time of budget crisis.

Therefore, pursuant to Article IV, Section 9(d) of the Illinois Constitution of 1970, I hereby reduce and return several appropriation items included in House Bill 2132, entitled "AN ACT making appropriations" with reductions in the appropriations totaling \$24,787,470.

Reductions

I hereby reduce the appropriation items listed below and approve each item in the amount set forth in the "Reduced Amount" column below:

| Article | Section | Page | Line(s) | Amount Enacted | Reduced Amount |
|----------------|----------------|-------------|----------------|-----------------------|-----------------------|
| 1 | 15 | 2 | 5 | 2,837,000 | 2,417,400 |
| 2 | 15 | 3 | 6 | 2,519,600 | 1,683,300 |
| 3 | 15 | 4 | 7 | 1,926,300 | 1,643,100 |
| 4 | 25 | 6 | 1 | 10,130,300 | 1,446,160 |
| 4 | 25 | 6 | 2 | 450,700 | 64,340 |
| 5 | 15 | 7 | 4 | 3,604,000 | 2,492,130 |
| 6 | 15 | 8 | 6 | 3,539,400 | 3,104,200 |
| 7 | 15 | 9 | 7 | 3,459,400 | 1,701,300 |
| 8 | 15 | 10 | 8 | 12,161,900 | 10,090,500 |
| 9 | 15 | 11 | 8 | 34,675,300 | 26,847,800 |
| 10 | 15 | 12 | 9 | 2,993,700 | 2,019,900 |

In addition to these specific reductions, I hereby approve all other appropriation items in House Bill 2132.

Sincerely,
s/Pat Quinn
Governor

August 11, 2009

To the Honorable Members of the

[October 5, 2009]

8

Illinois House of Representatives
96th General Assembly

Today, I return House Bill 59 with my specific recommendations for change.

This bill contains language conditioning agency rulemaking authority on compliance with the Illinois Administrative Procedure Act. This language is a remnant of the controversy surrounding certain rulemaking undertaken by my predecessor's administration. In approving House Bill 398, I demonstrated my administration's commitment to upholding the law and respecting the constitutionally protected powers of each branch of government. My approval of House Bill 398 renders the language related to rulemaking in this bill moot. It is time to move past the battles between my predecessor and members of the General Assembly. I am, therefore, deleting this language from the bill.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 59, entitled "AN ACT concerning human rights.", with the following specific recommendations for change:

on page 12, by deleting lines 11 through 17; and

on page 20, by deleting lines 19 through 25; and

on page 22, by deleting lines 15 through 21.

With these changes, House Bill 59 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

With this message, I am returning House Bill 70 with specific recommendations for change.

While I am supportive of the general principles embodied in this legislation, it nevertheless contains certain provisions that require modification. One provision conditions the agency's rulemaking authority on compliance with the Illinois Administrative Procedure Act and the procedures of the Joint Committee on Administrative Rules. This is a remnant of a controversy involving my predecessor's administration. This conflict has been resolved. When I approved House Bill 398, I committed my administration to upholding the law and respecting the constitutionally protected powers of each branch of government. My approval of, and adherence to, House Bill 398 (now Public Act # 96-0002) renders the rulemaking conditions set forth in this bill redundant. It is time to move past the battles between my predecessor and members of the General Assembly. I am, therefore, deleting this language from the bill.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 70, entitled "AN ACT concerning insurance.", with the following specific recommendations for change:

on page 2, by deleting lines 21 through 26; and

on page 5, by deleting lines 21 through 26; and

on page 6, by deleting line 1; and

on page 7, below line 11, by inserting the following:

“Section 99. Effective date. This Act takes effect on January 1, 2010.”.

With these changes, House Bill 70 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 24, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

Today I return House Bill 170 with specific recommendations for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. However, there are provisions parts that require modification.

House Bill 170 provides that, beginning January 1, 2013, no new surface discharging private system installations may be authorized by the Illinois Department of Health (DPH) unless a specific permit is first issued for the system by the Illinois Environmental Protection Agency (EPA). The bill will assist both DPH and EPA in formally coordinating their respective permitting systems. However, there are some issues with the bill as drafted that could lead to misinterpretation and confusion.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 170, entitled “AN ACT concerning regulation.”, with the following specific recommendations for change:

Page 3, by replacing lines 10 through 11 with “of the United States, as defined at 40 C.F.R. § 122.2.”; and

Page 4, by replacing lines 9 through 10 with “waters of the United States, as defined at 40 C.F.R. § 122.2, shall not be constructed”; and

Page 4, by replacing lines 13 through 19 with “Environmental Protection Agency or the United States Environmental Protection Agency. The private sewage disposal code must be amended”; and

Page 5, by replacing lines 11 through 12 with “of the United States, as defined at 40 C.F.R. § 122.2.”; and

Page 8, by replacing lines 15 through 16 with “discharges into the waters of the United States, as defined at 40 C.F.R. § 122.2, unless he”; and

Page 8, by replacing lines 18 through 24 with “Illinois Environmental Protection Agency or the United States Environmental Protection Agency.”

With these changes, House Bill 170 will have my approval. I respectfully request your concurrence.

[October 5, 2009]

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Sincerely,
s/Pat Quinn
Governor

August 10, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today I return House Bill 204 with a specific recommendation for change. I thank the sponsors for their hard work on this bill. This bill recognizes the need to increase access to critical services, while assuring quality care by ensuring qualified providers render care. I agree with this goal, and hope that this change helps accomplish this aim.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 204, entitled "AN ACT concerning public aid", with the following specific recommendation for change:

on line 9, by replacing "nurses" with "nurses who hold a current certification in Psychiatric and Mental Health Nursing".

Nothing in this amendatory act shall be construed as invalidating the rules filed by the Department of Healthcare and Family Services, 89 Ill. Admin Code 140.135, in accordance with the administrative procedures act and the procedures of JCAR.

With this change, House Bill 204 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 25, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

With this message, I return House Bill 237 to the House of Representatives with specific recommendations for change. I regard this bill as noble in intent. However, parts of it are unworkable in practice. The State's fiscal challenges are such that raising the interest rate on bills the state is delinquent in paying will simply exacerbate an already serious problem. Though I am sympathetic to the hardship those to whom the state is delinquent in paying face, promising them additional dollars the State does not have is not a solution.

One portion of this bill defines a specific category of provider bills as falling under the provisions of the State's Prompt Payment Act. Today's action leaves that provision of the bill undisturbed. Inasmuch as most provider bills are already covered under the Prompt Payment Act, treating community-based providers offering prevention, intervention, and treatment for those with developmental disabilities, psychological challenges, and substance abuse issues in the same manner is equitable and fair.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return

House Bill 237, entitled “AN ACT concerning finance”, with the following specific recommendations for change:

on page 1, line 5, by replacing “Sections 1 and 3-2” with “Section 1”; and

by deleting line 21 on page 2 through line 2 on page 5.

With these changes, House Bill 237 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the House of Representatives,
96th General Assembly:

I hereby return HB 276 with the following specific recommendations for change.

HB 276 provides that “for purposes of clarification only”, agencies must adopt rules in accordance with the currently-applicable requirements of the Illinois Administrative Procedure Act unless there is a specific exemption set forth in statute. HB 276 also states that the requirement to adopt rules unless exempted from doing so pursuant to an explicit statutory exemption applies to “in addition to all other agency policies affecting persons or entities outside the agency, grant-making policies.”

Existing law requires agencies to perform the actions this bill contemplates. This legislation confuses an issue made very clear by existing law. The Illinois Administrative Procedure Act (“Act”) provides a definition of the term “rule” that indicates when an agency must promulgate rules and when it need not. 5 ILCS 100/1-70. The first sentence of this legislation restates a part of the Act’s definition of rules. It is therefore a redundant and incomplete statement of the law that already binds us.

The second and third sentences of HB 276 indicate a desire to make sure that agencies adhere to rulemaking procedures when soliciting applications for, awarding, disbursing, and making records of, grants. I note that under Section 5-15(a)(2) of the Act, agencies must “maintain as rules ... the current procedures by which the public can obtain information or make submissions or requests on subjects, programs, and activities of the agency.” 5 ILCS 100/5-15(a)(2). Therefore, existing law mandates that agencies adhere to the rulemaking procedures as contemplated by House Bill 276.

I agree with members of the General Assembly that the processes by which agencies distribute grants must be formalized, transparent, and fair. However, HB 276 restates, incompletely and out of context, existing provisions of law and frustrates the realization of that shared goal.

Because I share the goal of a formal, transparent and efficient process for distributing grants, I hereby make the specific recommendations for change set forth below.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 557, entitled “AN ACT concerning government, with the following specific recommendation for change:

On Page 1, delete lines 22-23;

On Page 2, delete lines 1-13;

On Page 5, by inserting after line 4:

“Section 5. The Illinois Administrative Procedure Act is amended by changing Section 5-20 as follows:

Sec. 5-20. Implementing discretionary powers. Each rule that implements a discretionary power to be exercised by an agency shall include the standards by which the agency shall exercise the power. The standards shall be stated as precisely and clearly as practicable under the conditions to inform fully those persons affected. For purposes of this Section 5-20, the term “discretionary power” shall include the authority to award monetary grants.”

With these changes, House Bill 276 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 25, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today I return House Bill 363 with my specific recommendations for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. However, in order for me to give unqualified support to this measure, I respectfully request the adoption of the recommendations set forth below.

House Bill 363 creates the Chicago Education Facilities Task Force to study school facility related decisions and recommend criteria for an equitable and transparent master facility plan for Chicago Public Schools. While I agree with the goal of this legislation, the timeline is too soon to allow for successful implementation to take place. Moreover, I believe that the membership of the Task Force should be diversified to ensure the most fruitful discussion possible.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 363, entitled “AN ACT concerning education.”, with the following specific recommendations for change:

on page 3, line 7, by replacing “15” with “30”; and

on page 3, by deleting lines 11 through 14 and replacing them with “(1) Two members of the House of Representatives, one appointed by the Speaker of the House and one appointed by the Minority Leader of the House.”; and

on page 3, by deleting lines 15 through 18 and replacing them with “(2) Two members of the Senate, one appointed by the President of the Senate and one appointed by the Minority Leader of the Senate.”; and

on page 3, by deleting lines 19 through 21 and replacing them with “(3) Two representatives from the State Board of Education, including the Superintendent or his or her designee.”; and

on page 3, by deleting lines 22 through 24 and replacing them with “(4) Four members of the education community, two appointed by the Governor and two appointed by the Mayor of Chicago.”; and

on page 4, by deleting line 1 and replacing it with “issues, one appointed by the Governor and one

appointed by the Mayor of Chicago.”; and

on page 4, by deleting lines 2 through 4 and replacing them with “(6) Two representatives of school community organizations with past involvement in school facility issues, one appointed by the Speaker of the House and one appointed by the President of the Senate.”; and

on page 4, by deleting lines 12 through 22 and replacing them with “(d) The Governor shall appoint one of the appointed members as chairperson of the Chicago Educational Facilities Task Force. Members appointed by the Governor, the Mayor and the legislative leaders shall be appointed for the duration of the Chicago Educational Facilities Task Force; in the event of a vacancy, the appointment to fill the vacancy shall be made by the appointing authority who made the original appointment.”; and

on page 5, line 3, by replacing “15” with “30”; and

on page 5, line 23, by replacing “October 30, 2009” with “March 30, 2010”.

With these changes, House Bill 363 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

Today I return House Bill 366 with my specific recommendations for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. Furthermore, I recognize that many advocates and members of the General Assembly have fought long and hard for this change. I wholeheartedly agree that we all must work together to provide support to seniors and disabled persons throughout our State. However, there are aspects of this bill that I must address.

The expansions of healthcare under House Bill 366 do not qualify for federal Medicaid matching. During this period of unprecedented financial strain, we cannot create any new programs without sufficient revenue. Accordingly, I am recommending that the effective date of this bill be changed to July 1, 2012, and that the programs be made subject to appropriation, in order to allow the state time to improve its fiscal health.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 366, entitled “AN ACT concerning public aging”, with the following specific recommendations for change:

on page 6, by replacing line 13 with “Article. The benefits under this Act are subject to appropriation.”; and

on page 15, by replacing lines 18-22 with “For 2011 claim year applications submitted during calendar year 2012, and claim years thereafter, a household must have annual household income of less than the applicable limit for its size, calculated to reflect the annual cost of living adjustment in Social Security and Supplemental Security Income benefits that are applicable to the year for which those benefits are being reported as income on an application in each intervening year for the 2006 through 2011 calendar years, keeping the limit commensurate with the Pharmaceutical Assistance Program.”; and

on page 15, line 24 by replacing "2011" with "2013"; and

on page 22, by replacing lines 14-24 with

"(5) for the 2007 claim year through the 2010 claim year, have a maximum household income of (i) less than \$22,218 for a household containing one person, (ii) \$29,480 for a household containing 2 persons, or (iii) \$36,740 for a household containing 3 or more persons; and 6) for 2011 claim year applications submitted during calendar year 2012, and claim years thereafter, a household must have annual household income of less than the applicable limit for its size, as calculated to reflect the annual cost of living adjustment in Social Security and Supplemental Security Income benefits that is applicable to the year for which those benefits are being reported as income on an application in each intervening year for the 2006 through 2011 calendar years."; and

on page 22, line 26 by replacing "2011" with "2013"; and

on page 40, by replacing line 11 with "1, 2010. The changes made by this amendatory Act with respect to eligibility groups and pharmaceutical benefits in Section 4(g) shall take effect on January 1, 2012."

With these changes, House Bill 366 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 10, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today I return House Bill 382 with my specific recommendations for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. I agree that we all must work together to provide support to aspiring nurses and to provide assistance to students throughout our State. However, there are aspects of this bill that I must address.

This bill creates a scholarship program for nurse educators. During this time of limited financial resources, we cannot create any new programs without available revenue to support the programs. We also cannot duplicate existing programs. Accordingly, I am conditioning this program on sufficient appropriations being available for its support and am removing language requiring the Department of Public Health to maintain a database of available nurse educator positions because such a database is already maintained by the Illinois Center for Nursing.

This bill also contains language conditioning the Department of Public Health's rulemaking ability on compliance with the provisions of the Illinois Administrative Procedure Act. This language is a remnant of the controversy surrounding certain rulemaking undertaken by my predecessor's administration. In approving House Bill 398, my administration is committed to upholding the law and respecting the constitutionally protected powers of each branch of government. I approved House Bill 398 as a demonstration of this commitment. My approval of House Bill 398 renders the language related to rulemaking in this bill moot. It is time to move past the battles between my predecessor and members of the General Assembly. I am, therefore, deleting this language from the bill.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 382, entitled "AN ACT concerning education.", with the following specific

recommendations for change:

on page 6, by deleting lines 15 through 20; and

on page 6, line 25, by replacing “provide” with “provide, subject to appropriation.”; and

on page 9, by replacing lines 20 and 21 with “nurse educator.”; and

on page 9, by deleting lines 25 and 26; and

on page 10, by deleting lines 1 through 5.

With these changes, House Bill 382 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 25, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

With this message, I am returning House Bill 489 with a specific recommendation for change.

While I am supportive of the general principles embodied in this legislation, it nevertheless contains certain provisions that require modification. One provision conditions agency rulemaking authority on compliance with the Illinois Administrative Procedure Act and the procedures of the Joint Committee on Administrative Rules. This is a remnant of a controversy involving my predecessor's administration. This conflict has been resolved. When I approved House Bill 398, I committed my administration to upholding the law and respecting the constitutionally protected powers of each branch of government. My approval of, and adherence to, House Bill 398 (now Public Act # 96-0002) renders the rulemaking conditions set forth in this bill redundant. It is time to move past the battles between my predecessor and members of the General Assembly. I am, therefore, deleting this language from the bill.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 489, entitled “AN ACT concerning deferred compensation.”, with the following specific recommendation for change:

on page 18, by replacing lines 10 through 15 with the following:

~~“Rulemaking authority to implement this amendatory Act of the 95th General Assembly, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.”~~

With this change, House Bill 489 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

[October 5, 2009]

16

August 25, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

With this message, I am returning House Bill 547 with a specific recommendation for change.

While I am supportive of the general principles embodied in this legislation, it nevertheless contains certain provisions that require modification. One provision conditions agency rulemaking authority on compliance with the Illinois Administrative Procedure Act and the procedures of the Joint Committee on Administrative Rules. This is a remnant of a controversy involving my predecessor's administration. This conflict has been resolved. When I approved House Bill 398, I committed my administration to upholding the law and respecting the constitutionally protected powers of each branch of government. My approval of, and adherence to, House Bill 398 (now Public Act # 96-0002) renders the rulemaking conditions set forth in this bill redundant. It is time to move past the battles between my predecessor and members of the General Assembly. I am, therefore, deleting this language from the bill.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 547, entitled "AN ACT concerning State government.", with the following specific recommendation for change:

on page 11, by deleting lines 3 through 8.

With this change, House Bill 547 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

I hereby return House Bill 557 with my specific recommendation for change. I thank the sponsors for their hard work on this legislation.

This bill makes interference with a public institution of education accompanied by a threat of personal injury or property damage a Class 3 felony. While it is important to convey the message that false threats at schools are serious crimes, punishing such threats as Class 3 felonies is too severe. Therefore, I am proposing to define threats of this nature as Class 4 felonies. This will make the punishment identical to that authorized for similar crimes punished as class 3 felonies, such as making false threat against public agencies and officials (720 ILCS 5/26-1 (2), (4)), or making a bomb threat that endangers human life (720 ILCS 5/26-1(3)).

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 557, entitled "AN ACT concerning Criminal Law", with the following specific recommendation for change:

on page 3, line 23, by replacing "3" with "4"; and

on page 3, line 24, be replacing "2 years" with "1 year"; and

on page 4, line 1, by replacing “10 years” with “6 years”; and

on page 4, line 1, by deleting “and may be prosecuted for”; and

on page 4, by deleting line 2.

With this change, House Bill 557 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 25, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

With this message, I am returning House Bill 613 with a specific recommendation for change.

I am supportive of the general principles embodied in this legislation. I firmly believe that the integrity of public bidding is of the utmost important. However, this bill contains certain provisions unrelated to insuring integrity in public bidding that require modification. One provision of this bill conditions agency rulemaking authority on compliance with the Illinois Administrative Procedure Act and the procedures of the Joint Committee on Administrative Rules. This is a remnant of a controversy involving my predecessor’s administration. This conflict has been resolved. When I approved House Bill 398, I committed my administration to upholding the law and respecting the constitutionally protected powers of each branch of government. My approval of, and adherence to, House Bill 398 (now Public Act # 96-0002) renders the rulemaking conditions set forth in this bill redundant. It is time to move past the battles between my predecessor and members of the General Assembly. I am, therefore, deleting this language from the bill.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 613, entitled “AN ACT concerning education.”, with the following specific recommendation for change:

on page 4, by replacing lines 20 through 26 with “communications with bidders”.

With this change, House Bill 613 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 25, 2009

To the Honorable Members of the Illinois House of Representatives
96th General Assembly

Today I return House Bill 723 with specific recommendations for change. I commend the sponsors for their hard work on this bill. This bill is an important measure that will help ensure ethical conduct and transparency. I believe we all must work together to make sure that ethical conduct and transparency exist in all other aspects of state government as well.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 723, entitled "AN ACT concerning elections.", with the following specific recommendations for change:

on page 1, lines 4 and 5, by replacing "Section 7-61" with "Sections 7-61 and 28-1, and by adding Section 28-14"; and

on page 6, below line 4, by inserting the following:

"(10 ILCS 5/28-1) (from Ch. 46, par. 28-1)

Sec. 28-1. The initiation and submission of all public questions to be voted upon by the electors of the State or of any political subdivision or district or precinct or combination of precincts shall be subject to the provisions of this Article.

Questions of public policy which have any legal effect shall be submitted to referendum only as authorized by a statute which so provides or by the Constitution. Advisory questions of public policy shall be submitted to referendum pursuant to Section 28-5 or pursuant to a statute which so provides.

The method of initiating the submission of a public question shall be as provided by the statute authorizing such public question, or as provided by the Constitution.

All public questions shall be initiated, submitted and printed on the ballot in the form required by Section 16-7 of this Act, except as may otherwise be specified in the statute authorizing a public question.

Whenever a statute provides for the initiation of a public question by a petition of electors, the provisions of such statute shall govern with respect to the number of signatures required, the qualifications of persons entitled to sign the petition, the contents of the petition, the officer with whom the petition must be filed, and the form of the question to be submitted. If such statute does not specify any of the foregoing petition requirements, the corresponding petition requirements of Section 28-6 shall govern such petition.

Irrespective of the method of initiation, not more than 3 public questions other than (a) back door referenda, (b) referenda to determine whether a disconnection may take place where a city coterminous with a township is proposing to annex territory from an adjacent township, (c) referenda held under the provisions of the Property Tax Extension Limitation Law in the Property Tax Code, or (d) referenda held under Section 2-3002 of the Counties Codemay be submitted to referendum with respect to a political subdivision at the same election.

If more than 3 propositions are timely initiated or certified for submission at an election with respect to a political subdivision, the first 3 validly initiated, by the filing of a petition or by the adoption of a resolution or ordinance of a political subdivision, as the case may be, shall be printed on the ballot and submitted at that election. However, except as expressly authorized by law not more than one proposition to change the form of government of a municipality pursuant to Article VII of the Constitution may be submitted at an election. If more than one such proposition is timely initiated or certified for submission at an election with respect to a municipality, the first validly initiated shall be the one printed on the ballot and submitted at that election.

No public question shall be submitted to the voters of a political subdivision at any regularly scheduled election at which such voters are not scheduled to cast votes for any candidates for nomination for, election to or retention in public office, except that if, in any existing or proposed political subdivision in which the submission of a public question at a regularly scheduled election is desired, the voters of only a portion of such existing or proposed political subdivision are not scheduled to cast votes for nomination for, election to or retention in public office at such election, but the voters in one or more other portions of such existing or proposed political subdivision are scheduled to cast votes for nomination for, election to or retention in public office at such election, the public question shall be voted upon by all the qualified voters of the entire existing or proposed political subdivision at the election.

Not more than 3 advisory public questions may be submitted to the voters of the entire state at a general election. If more than 3 such advisory propositions are initiated, the first 3 timely and validly initiated shall be the questions printed on the ballot and submitted at that election;

provided however, that a question for a proposed amendment to Article IV of the Constitution pursuant to Section 3, Article XIV of the Constitution, ~~or for~~ a question submitted under the Property Tax Cap Referendum Law, or a question held under the provisions of Section 28-14 of this Code shall not be included in the foregoing limitation.

(10 ILCS 5/28-14 new)
Sec. 28-14. The general primary election ballot in 2010 shall contain an advisory question of public policy in substantially the following form:

Should the Illinois Constitution be amended to allow the people of Illinois to initiate, by petition, a binding referendum to adopt standards of ethical conduct for officials and employees of State government?

The votes must be recorded as "Yes" or "No".

Section 99. Effective date. This Act takes effect upon becoming law."

With these changes, House Bill 723 will have my approval. I respectfully request your concurrence.

Sincerely,
 s/Pat Quinn
 Governor

August 14, 2009

To the Honorable Members of the Illinois House of Representatives,
 96th General Assembly:

Today I return House Bill 725 with my specific recommendations for change.

This bill contains language conditioning agency rulemaking ability on compliance with the provisions of the Illinois Administrative Procedure Act. This language is a remnant of the controversy surrounding certain rulemaking undertaken by my predecessor's administration. In approving House Bill 398, my administration demonstrated its commitment to upholding the law and respecting the constitutionally protected powers of each branch of government. My approval of House Bill 398 renders the language related to rulemaking in this bill moot. It is time to move past the battles between my predecessor and members of the General Assembly. I am, therefore, deleting this language from the bill.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 725, entitled "AN ACT concerning education.", with the following specific recommendations for change:

on page 2, by replacing lines 8 through 14 with "courses into school foreign language curricula."; and

on page 2, by replacing lines 18 through 23 with "into school foreign language curricula."; and

on page 3, by deleting line 1; and

on page 28, replacing lines 11 through 16 with "major.".

With these changes, House Bill 725 will have my approval. I respectfully request your concurrence.

Sincerely,

[October 5, 2009]

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s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

Today, I return House Bill 745 with my specific recommendation for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. However, there is an aspect of this bill that I must address.

House Bill 745 provides Illinois residents with greater flexibility in the location where they can apply for public aid and exempts residents who work from in-person meetings with a representative from the Department of Human Services regarding food stamps. While I agree with the goal of this legislation, the timeline is too soon to allow for successful implementation to take place.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return Senate Bill 1725, entitled "AN ACT concerning public aid.", with the following specific recommendation for change:

on page 9, below line 15, by inserting the following:

"Section 99. Effective date. This Act takes effect on January 1, 2011."

With this change, House Bill 745 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 25, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today, I return House Bill 746 with specific recommendations for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. However, in order for me to give unqualified support to this measure, I respectfully request the adoption of the recommendations set forth below.

House Bill 746 requires the Department of Human Services to operate the Rapid Reintegration Pilot Program. The purpose is to demonstrate that, with appropriate support and services, individuals with physical disabilities and mental illness who need short term placement of six months or less in a nursing home facility can return to the community without unnecessary institutionalization. However, I believe this bold approach should be conducted with each of the special needs population groups, including older adults. The state is already engaged in the Money Follows the Person demonstration program to assist individuals within these special needs populations who have nursing home stays of six months or longer. The effort envisioned by House Bill 746 should include the same populations for those whose stays are less than six months. Therefore, I have included the Department on Aging in this pilot program. Regrettably, in spite of the laudable goal of this bill, during this period of unprecedented financial difficulty, we cannot create any new mandates. Accordingly, I am conditioning this program on sufficient appropriations being available for its support.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 746, entitled "AN ACT concerning public aid.", with the following specific recommendations for change:

on page 1, by deleting line 10 and replacing it with "(a) The Department of Human Services and the Department on Aging shall operate, subject to appropriation, a Rapid"; and

on page 1, by deleting line 12 and replacing it with "is to demonstrate that, with appropriate support and services, individuals age 65 and older,"; and

on page 1, by deleting lines 17 through 19, and replacing them with "institutionalization. The pilot program sites shall be those initiated or operated in Fiscal Year 2009. After completion of a successful evaluation, the pilot program may be expanded to other sites as"; and

on page 1, by deleting line 21 and replacing it with "(b) The Department of Human Services and the Department on Aging shall secure, subject to appropriation, the"; and

on page 2 by deleting line 2 and replacing it with "Case Coordination Units, Service Coordination Agencies, and the Home Services Program to"; and

on page 2, by deleting line 6 and replacing it with "(c) The Case Coordination Units, Service Coordination Agencies, and the Home Services"; and

on page 2, line 7, by replacing "make" with "make, subject to appropriation,"; and

on page 2, by deleting line 12 and replacing it with "(d) The Case Coordination Units, Service Coordination Agencies, and the Home Services"; and

on page 2, line 13, by replacing "make" with "make, subject to appropriation,"; and

on page 2, by deleting line 18 and replacing it with "independent living, community mental health agencies and area agencies on aging,"; and

on page 2, line 22, by replacing "assessed" with "assessed, subject to appropriation,"; and

on page 2, line 26, by replacing "operate" with "operate, subject to appropriation,"; and

on page 3, by deleting lines 2 through 10, and replacing them with "96th General Assembly. The Department of Healthcare and Family Services, in collaboration with the Department of Human Services and the Department on Aging, shall assess, subject to appropriation, the effectiveness of the pilot program.".

With these changes, House Bill 746 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 11, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today, I return House Bill 758 with my specific recommendations for change. I thank the

sponsors for their hard work and the members of the General Assembly for passing this bill. Furthermore, I recognize that many advocates and members of the General Assembly have fought long and hard for this change.

This bill will ensure that reimbursement funds from the Federal Matching Assistance Percentage within the Community Mental Health Medicaid Trust Fund and the Community Developmental Disabilities Trust Fund are reinvested into care and services for persons with developmental disabilities and mental health issues. House Bill 758 is to be effective upon becoming law. However, during this period of unprecedented financial strain, any legislation that prevents funds from going into the General Revenue Fund (GRF) will pose grave problems for the State's immediate fiscal condition. There is simply no other way for the state to make up the lost GRF revenue at this time. Accordingly, I am recommending that the effective date of this bill be changed to July 1, 2012, in order to allow the state time to improve its financial health.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 758, entitled "AN ACT concerning State government.", with the following specific recommendation for change:

on page 6, line 10, by replacing "upon" with "July 1, 2012."; and

on page 6, by deleting line 11.

With these changes, House Bill 758 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 25, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

Today, I return House Bill 927 with a specific recommendation for change. This bill promotes good health and well-being—goals that each of should attempt to implement into our lifestyles. As Governor, I am committed to making sure that there are entities within our state government that can assist people in adopting good health practices.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 927, entitled "AN ACT concerning regulation.", with the following specific recommendation for change:

on page 2, below line 13, by inserting the following:

"Section 7. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-640 as follows:

(20 ILCS 2310/2310-640 new)

Sec. 2310-640. Public Health Advocate; wellness planning.

(a) There is created within the Department of Public Health an office to be known as the Office of the Public Health Advocate. The office shall be headed by the Public Health Advocate who shall be appointed by the Governor to a term of 4 years.

(b) Subject to appropriation, and in cooperation with the Department of Insurance, the Office shall provide information and assistance to consumers by:

(1) developing wellness programs to improve public health through education,

counseling, and identifying health risks:

(2) creating educational programs, recommending strategies for preventing illness, and developing cures for diabetes;

(3) assisting consumers in understanding public health programs and coverage provisions such as wellness coverage;

(4) educating consumers about their rights within public health programs;

(5) analyzing, monitoring, and making publicly available reports on the development and implementation of federal, State, and local laws, regulations, and other governmental policies and actions that pertain to the adequacy of public health programs, facilities, and services;

(6) conducting, supporting, and assisting research, surveys, investigations, conferences, projects, and informational activities concerning the interests of health care consumers; and

(7) performing all duties assigned to the Office by the Director of Public Health.”.

With this change, House Bill 927 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 10, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today I return House Bill 1015 with my specific recommendations for change.

This bill contains language conditioning the Department of Financial and Professional Regulation's rulemaking ability on compliance with the provisions of the Illinois Administrative Procedure Act. This language is a remnant of the controversy surrounding certain rulemaking undertaken by my predecessor's administration. In approving House Bill 398, my administration is committed to upholding the law and respecting the constitutionally protected powers of each branch of government. I approved House Bill 398 as a demonstration of this commitment. My approval of House Bill 398 renders the language related to rulemaking in this bill moot. It is time to move past the battles between my predecessor and members of the General Assembly. I am, therefore, deleting this language from the bill.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 1015, entitled "AN ACT concerning regulation.", with the following specific recommendations for change:

on page 12, by deleting lines 20 through 26; and

on page 14, by deleting lines 22 through 26; and

on page 15, by deleting lines 1 and 2.

With these changes, House Bill 1015 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 17, 2009

To the Honorable Members of the House of Representatives,
96th General Assembly:

I hereby return House Bill 1098 with my specific recommendations for change. This is a meritorious bill, and I commend the sponsors of the legislation for their hard work on this issue. I particularly want to salute Representative McCarthy for his sincere advocacy.

While I support the fundamental concept embodied in this bill, there is an important change I am compelled to make. Implementing this bill for Fiscal Year 2010 would strain our already strained state budget. Accordingly, I propose to make these changes effective for Fiscal Year 2011 instead of Fiscal Year 2010.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 1098, entitled "AN ACT concerning government." with the following specific recommendations for change:

on page 4, line 7, by replacing "2010" with "2011"; and

on page 4, line 10, by replacing "2008" with "2009"; and

on page 4, line 13, by replacing "2009" with "2010".

With these changes, House Bill 1098 will have my approval.

Sincerely,
s/Pat Quinn
Governor

August 11, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today, I return House Bill 1115 with specific recommendations for change. This legislation would separate the Department of Insurance (formerly the Division of Insurance) from the Department of Financial and Professional Regulation thereby reestablishing the Department of Insurance as a stand-alone entity. While I appreciate the efforts of the sponsors, and support fully an independent Department of Insurance, I must note that this objective has already been accomplished. Executive Order 2009-04, issued April 1, 2009, which became effective pursuant to Article V, Section 11 of the Illinois Constitution when neither chamber of the General Assembly disapproved of it, reestablishing the Department of Insurance as a stand-alone executive agency directly responsible to the Governor. As a result, all powers, duties, rights and responsibilities of the Division of Insurance within the Department of Financial and Professional Regulation have been transferred to the Department of Insurance. Therefore, the substance of House Bill 1115 is declarative of existing law. I look forward to working with the members of the General Assembly to achieve our shared goal of ensuring that its new independence will enable the Department of Insurance to excel.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 382, entitled "AN ACT concerning insurance.", with the following specific recommendations for change:

on page 1, by replacing lines 9 through 14 with “(a) Executive Order 2009-04 hereby supersedes Executive Order 2004-6 to the extent that Executive Order 2004-6 transfers the powers, duties, rights, and responsibilities of the Department of Insurance to the Division of Insurance within the Department of Financial and Professional Regulation.”

on page 1, line 18, by replacing “July 1, 2009” with “the effective date of Executive Order 2009-04”; and

on page 2, line 17, by replacing “this amendatory act” with “Executive Order 2009-04”; and

on page 3, lines 6 and 7, by replacing “this amendatory act” with “Executive Order 2009-04”; and

on page 3, line 14, by replacing “this amendatory act” with “Executive Order 2009-04”; and

on page 4, line 2, by replacing “this amendatory act” with “Executive Order 2009-04”; and

on page 4, line 9, by replacing “this amendatory act” with “Executive Order 2009-04”; and

on page 4, line 14, by replacing “this amendatory act” with “Executive Order 2009-04”; and

on page 4, line 16, by replacing “this amendatory act” with “Executive Order 2009-04”; and

on page 4, line 25, by replacing “July 1, 2009” with “the effective date of Executive Order 2009-04”; and

on page 5, line 7, by replacing “July 1, 2009” with “the effective date of Executive Order 2009-04”.

With these changes, House Bill 1115 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 25, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

I hereby return House Bill 1322 with a specific recommendation for change. I thank the sponsors for their hard work on this bill. Over the past ten years, the State of Illinois has been without a jobs bill, and I believe that this legislation reflects public frustration at the paucity of a state investment in jobs. However, on July 13th, I signed a capital bill that will ensure that roads and bridges are built in every corner of our state, from Chicago to Woodstock to Rock Island to Cairo.

This legislation allows local units of government to pay for road construction out of a newly created fund that generates revenues through the County Option Motor Fuel Tax or the Special County Retailers Occupation Tax, and later reimbursed by the State. Only a third of Illinois counties collect either of these taxes and even fewer will generate enough revenue to participate in the program. That means less than one third of the counties in Illinois will be able to fund road construction projects through this program, yet it will place them ahead in getting funding of almost every other county, without authorization from the Secretary of Transportation, the General Assembly, or the Governor.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 1322, entitled "AN ACT concerning local government.", with the following specific recommendation for change:

on page 20, by replacing lines 24 and 25 with "Section 99. Effective Date. This Act takes effect on July 1, 2014."

With these changes, House Bill 1322 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 11, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

I hereby return House Bill 1994 with my specific recommendation for change. I thank the sponsors for their hard work on this legislation. This bill addresses the importance of the Illinois Correctional Industries as a re-entry program within the Department of Corrections. It has helped train and build skills that inmates will be able to utilize once they leave the Department of Corrections and return to their respective communities.

Illinois Correctional Industries is one of the State's most essential goods and services providers, on whom the Department of Corrections and other state agencies rely daily. To ensure success, we must optimize the relationship between the Department of Corrections and Illinois Correctional Industries to enable the Department of Corrections to realize new synergies and efficiencies.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 1994, entitled "AN ACT concerning Illinois Correctional Industries", with the following specific recommendation for change:

on page 8, below line 23, by inserting the following: "Section 99: Effective date. This Act takes effect on July 1, 2010."

With this change, House Bill 1994 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 17, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly:

Today, I return House Bill 2279 with a specific recommendation for change. This legislation expands the community-based residential rehabilitation center alternative health care model

demonstration program.

I commend the sponsors for their work on this legislation, and their work in fostering alternative methods of bringing quality health care to the residents of our state. After hearing from a number of supporters of this legislation, I believe that the demand for these services may be slightly greater than the sponsors had envisioned.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 2279, entitled "AN ACT concerning regulation." with the following specific recommendation for change:

on page 4, line 8, by replacing "2" with "5".

With this change, House Bill 2279 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 11, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today I return House Bill 2383 with my specific recommendations for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. Furthermore, I recognize that many advocates and members of the General Assembly have fought long and hard for this change. I wholeheartedly agree that we all must work together to provide support to low-income families and protection to victims of domestic and sexual violence throughout our State. However, there are aspects of this bill that I must address.

During this time of limited financial resources, we cannot create any new programs without available revenue to support the programs. Accordingly, I am recommending that the effective date of this bill be changed to July 1, 2010, in order to allow the state time to improve its fiscal health.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 2383, entitled "AN ACT concerning public aid.", with the following specific recommendations for change:

on page 13, line 22, by replacing "upon" with "July 1, 2010."; and

on page 13, by deleting line 23.

With these changes, House Bill 2383 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 11, 2009

[October 5, 2009]

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To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today I return House Bill 2444 with my specific recommendation for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. Although I am sympathetic to the bill's substantive goals, I find it necessary to modify this proposal.

House Bill 2444 will enable licensed hearing instrument dispenser trainees the ability to gain real world, practical experience and client contact under the supervision of a licensed professional. While I agree with this goal, during this time of limited financial resources, we cannot create any new programs without available revenue to support the programs. Accordingly, I am conditioning this program on the Department of Public Health being able to charge a fee for issuance of the trainee certificate. The licensing fee would be an administrative fee that will support this new program. The fee will allow for staff support to issue the trainee licenses, competency testing, as well as investigation of any complaints against trainees.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 2444, entitled "AN ACT concerning regulation.", with the following specific recommendation for change:

on page 4, below line 13, by inserting "(d) The Department may establish a trainee licensing fee by rule.".

With this change, House Bill 2444 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 18, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today I return House Bill 2445 with my specific recommendations for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. However, during this period of unprecedented fiscal challenges, we cannot create any new mandates without available revenue. Accordingly, I am conditioning this program on sufficient appropriations being available for its support.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 2445, entitled "AN ACT concerning government.", with the following specific recommendations for change:

on page 7, line 6, by replacing "employ" with "employ, subject to appropriation."; and

on page 34, line 4, by replacing "employ" with "employ, subject to appropriation.".

With these changes, House Bill 2445 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn

Governor

August 18, 2009

To the Honorable Members of the House of Representatives,
96th General Assembly,

In accordance with Article IV, Section 9(e) of the Illinois Constitution, I hereby return House Bill 2547 with the following specific recommendation for change.

This legislation seeks to achieve a laudable goal. I commend the sponsors of this legislation for their commitment to the protection of children, and for their commitment to promoting civil and human rights generally.

Although I wholeheartedly endorse the objectives of this legislation, the means by which it proposes to achieve this objective are problematic. Before I approve legislation committing this administration to any task, I must be sure that there are sufficient resources and structures in place to perform the task to the high standard of professionalism I expect of all state employees.

The bill, as drafted, beginning January 1, 2010, would give the Illinois Department of Human Rights the jurisdiction to consider charges of severe bullying pervasive harassment against children.

It is beyond question that we have a collective responsibility to ensure that children have access to education, a right guaranteed by the Illinois Constitution, in a safe and nurturing environment, free of harassment or duress of any kind.

Yet, extending the jurisdiction of the Department in this way without providing the staff and resources necessary to properly handle these matters would not in my judgment or the Department's judgment reduce the instance of harassment and bullying in schools.

Moreover, currently, the Department's cases generally involve adults. The proper handling of children's issues requires professionals trained in child-specific psychology, law, and medicine. The Department must have these resources in place in order to handle the matters contemplated in this statute effectively.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 2547, entitled "AN ACT concerning civil law." with the following specific recommendation for change:

on page 4, line 21, by replacing "harassment." with "harassment. The Department need not exercise jurisdiction under subsection (3) of this Section unless there are sufficient appropriations available for that purpose.".

With this change, House Bill 2547 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 25, 2009

To the Honorable Members of the
Illinois House of Representatives

96th General Assembly

I hereby return House Bill 3325 with a specific recommendation for change. I thank the sponsors for their hard work on this legislation. While I approve of the objective of this legislation, a technical change is necessary to correct a flaw in the bill as drafted. If this bill were to become law as written, driving multipurpose passenger vehicles (sport utilities) that have their rear windows factory tinted would violate the law.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 3325, entitled "AN ACT concerning transportation", with the following specific recommendation for change:

on page 6, by replacing lines 7 through 13 with "(3) on multipurpose passenger vehicles, as defined by Section 1-148.3b of this Code, with a nonreflective tint originally applied by the manufacturer on the windows to the rear of the driver's seat, the side windows immediately adjacent to each side of the driver may be treated with a nonreflective tint that allows at least 50% light transmittance, with a 5% variance observed by a law enforcement official metering the light transmittance."

With these changes, House Bill 3325 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 18, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today I return House Bill 3642 with my specific recommendation for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. However, there is an aspect of this bill that I must address.

House Bill 3642 establishes the Cross-Agency Medicaid Commission, the purpose of which is to study ways for the State to coordinate activities and programs to maximize the amount of federal Medicaid matching funds paid to the State for goods and services provided to children and their families. While I wholeheartedly agree with the goal of this legislation, the deadline for me to appoint the Commission members is too soon to allow for a thorough vetting of candidates to take place.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 3642, entitled "AN ACT concerning public aid.", with the following specific recommendation for change:

on page 2, line 22, by replacing "July 1, 2009" with "January 1, 2010".

With this change, House Bill 3642 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly

Today, I return House Bill 3971 with specific recommendations for change. This legislation gives the Illinois International Port District the power to apply to the Federal Government to have the area surrounding O'Hare International Airport designated as a Foreign Trade Zone.

I commend the sponsors for their work on this legislation, and their desire to bring greater economic opportunities to their districts. I share in their belief that we must do all we can to create jobs in the State of Illinois. However, I believe that we must bring structural change to the Port District in order for it to realize its full potential.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 3971, entitled "AN ACT concerning local government." with the following specific recommendations for change:

on page 2, below line 6, by inserting the following:

"Section 7. The Illinois International Port District Act is amended by changing Section 16

(70 ILCS 1810/16) (from Ch. 19, par. 167)

Sec. 16. Regular meetings of the Board shall be held at least once in each calendar month, the time and place of such meeting to be fixed by the Board. Five members of the Board shall constitute a quorum for the transaction of business. All action of the Board shall be by ordinance or resolution and the affirmative vote of at least five members shall be necessary for the adoption of any ordinance or resolution. The Board and any committees established by the Board must comply with the Open Meetings Act. All such ordinances and resolutions before taking effect shall be approved by the chairman of the Board, and if he shall approve thereof he shall sign the same, and such as he shall not approve he shall return to the Board with his objections thereto in writing at the next regular meeting of the Board occurring after the passage thereof. But in the case the chairman shall fail to return any ordinance or resolution with his objections thereto by the time aforesaid, he shall be deemed to have approved the same and it shall take effect accordingly. Upon the return of any ordinance or resolution by the chairman with his objections, the vote by which the same was passed shall be reconsidered by the Board, and if upon such reconsideration said ordinance or resolution is passed by the affirmative vote of at least six members, it shall go into effect notwithstanding the veto of the chairman.—All ordinances, resolutions and all proceedings of the District and all documents and records in its possession shall be public records, and must comply with the Freedom of Information Act ~~open to public inspection, except such documents and records as shall be kept or prepared by the Board for use in negotiations, action or proceedings to which the District is a party.~~ Beginning March first and within every fiscal year thereafter, the Auditor General shall prepare an annual audit of the operations and finances of the Illinois International Port District. This audit shall be provided to the Governor, the General Assembly, the Mayor and the City Council of the City of Chicago.

With these changes, House Bill 3971 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 11, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

Today I return House Bill 4096 with my specific recommendations for change. I thank the sponsors for their hard work and the members of the General Assembly for passing this bill. However, there is an aspect of this bill that I must address.

House Bill 4096 provides generally that the Governor's Office of Management and Budget ("GOMB") take steps to make the State's finances more accessible to the legislature and to the public. For example, House Bill 4096 specifically mandates that GOMB prepare and publish quarterly financial reports on the State's finances and that GOMB disclose financial information presented to credit rating agencies and potential investors in State bonds. While I fully support the goal of this legislation, these same mandates can be found in substantially the same form in Section 55 of Senate Bill 54. In the interest of establishing consistency between the two bills, I have changed House Bill 4096 to mirror the obligations and duties included in Senate Bill 54.

In addition, I am recommending that the effective date of this bill be changed to July 1, 2010, in order to allow GOMB sufficient time to prepare to meet these new obligations and duties.

Therefore, pursuant to Article IV, Section 9(e) of the Illinois Constitution of 1970, I hereby return House Bill 4096, entitled "AN ACT concerning State government.", with the following specific recommendations for change:

on page 1, by replacing lines 7 through 23 with the following:

"Sec. 7.1 Transparency in finance. Upon request by the President of the Senate, the Speaker of the House of Representatives, or the Minority Leaders of the Senate and House of Representatives, the Office shall provide a summary of all formal presentations submitted by the Office to credit rating agencies or potential investors in State bonds. Within 10 business days after the submission of State financial information to credit rating agencies or potential investors in State bonds, a summary of the submitted information shall be provided to the legislative leaders and posted on the Office's website. Notwithstanding any provision to the contrary, the Office shall not release any information that is not subject to disclosure under the Freedom of Information Act."; and

on page 2, by deleting line 1; and

on page 2, line 6, by deleting "In addition, for the months of"; and

on page 2, by deleting line 7; and

on page 2, line 8, by deleting "monthly financial report."; and

on page 2, line 10, by deleting ", both nationally"; and

on page 2, line 11, by deleting "and"; and

on page 2, by replacing line 14 with "performance."; and

on page 2, by replacing lines 18 through 25 with the following:

"In addition, the fourth quarter report for each fiscal year shall include a summary of fiscal and balanced budget notes issued by the Office to the General Assembly during the prior legislative session. Each report shall be posted on the Office's website within 45 days."; and

on page 3, by deleting lines 1 and 2; and

on page 3, by replacing lines 3 and 4 with the following:

“Section 99. Effective date. This Act takes effect on July 1, 2010. Notwithstanding any other law, rule, or regulation to the contrary, if and only if Senate Bill 54 of the 96th General Assembly becomes law, Section 55 of Senate Bill 54 of the 96th General Assembly shall become effective no sooner than July 1, 2010.”.

With these changes, House Bill 4096 will have my approval. I respectfully request your concurrence.

Sincerely,
s/Pat Quinn
Governor

August 27, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

At the request of its proponents, I am today vetoing House Bill 7. With this message, I return the legislation to the House of Representatives, its chamber of origin, determined that with the cooperation of the legislative leaders, the reform community, the members of the General Assembly and the people of Illinois, we can enact more comprehensive legislation limiting the amount of money that comes into political campaigns, and regulating the manner in which that money is spent.

During the course of the past few months, concerned citizens and organizations have had an opportunity to scrutinize this bill intensely. The reaction to the bill has been such that the leaders of each of the four caucuses—the Speaker of the House, the President of the Senate, and the Republican leaders in each chamber—have requested that I veto this bill.

In deference to the consensus request of the General Assembly, I am today formally transmitting this message of disapproval. Let there be no mistake: I am taking this action with the firm conviction that beginning again with renewed urgency will prove to be the swiftest path to enacting robust campaign finance reform. This veto begins the final stage of legislative action that will culminate in a campaign finance reform bill that will reshape our politics.

I would have preferred to see comprehensive campaign finance reform on the books at this point. However, it is important to put the action I am taking today into its full and proper context. This year has been, *and will continue to be*, a year for reshaping, reforming, and revitalizing Illinois with laws, rules, and regulations that implement the public’s demand for ethics and accountability in State Government.

These are unique circumstances. I am vetoing a bill in support of which I have testified. I would note that I was not alone in supporting this bill. Apart from its legislative sponsors, other state officers lent their support. And yet, in keeping with our democratic traditions, we have listened carefully to the will of the people. Today’s action represents a good-faith effort to continue, with renewed urgency, our shared goal of reforming the way we conduct political campaigns. I would not take this action if it would not lead to even stronger reforms.

Therefore, in accordance with Article V, Section 9(b) of the Illinois Constitution, I hereby return House Bill 7 to the House of Representatives, from where it originated, vetoed in its entirety.

Sincerely,
s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the
Illinois House of Representatives
96th General Assembly

I hereby veto House Bill 208.

My decision to veto this legislation reflects a technical, rather than a substantive, disagreement. This bill is duplicative of Article 10 of House Bill 2424, which I signed into law on July 13, 2009 and has become Public Act 96-37. Nevertheless, I would like to commend the sponsors for their work on this important issue.

Therefore, pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I return House Bill 208 to the House of Representatives, where it originated, with the foregoing objections, vetoed in its entirety.

Sincerely,
s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

Today I veto House Bill 396.

This bill is duplicative of Senate Bill 310, which I signed into law on August 13, 2009.

Therefore, pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I return House Bill 396 to the House of Representatives, where it originated, with the foregoing objections, vetoed in its entirety.

Sincerely,
s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

Today, I veto House Bill 548.

This bill is duplicative of Senate Bill 35 which I signed into law on July 23, 2009. The only difference is that House Bill 548 contains language conditioning agency rulemaking ability on compliance with the provisions of the Illinois Administrative Procedure Act. This language is a remnant of the controversy surrounding certain rulemaking undertaken by my predecessor's administration. In approving House Bill 398, my administration demonstrated its commitment to

upholding the law and respecting the constitutionally protected powers of each branch of government. My approval of House Bill 398 renders the language related to rulemaking in this bill moot. It is time to move past the battles between my predecessor and members of the General Assembly.

Therefore, pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I return House Bill 548 to the House of Representatives, where it originated, with the foregoing objections, vetoed in its entirety.

Sincerely,
s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the
Illinois House of Representatives,
96th General Assembly

Today I veto House Bill 669. This legislation would lower the registration fee for license plates for vehicles owned by municipal fire departments or fire protection district fire chiefs from \$78 to \$8. Fire Chiefs still pay \$78 registration fee for vehicles they own personally.

Currently, mayors in Illinois pay \$78 for "mayor" license plates, regardless of whether or not the car is owned by the municipality or personally by the mayor. Under this bill, fire chiefs would pay \$8 for cars that they use, provided that the car is owned by the fire department, but \$78 if they personally own the car.

On July 13th, 2009, I signed into law bills that created the *Illinois Jobs Now* plan, a \$31 Billion dollar capital plan to rebuild our State's aging infrastructure and help jump start our economy. The plan is predicated, in part, on annual license and registration fees assessed by the Secretary of State.

While I am sympathetic to those who serve the public good in our local fire departments, I also recognize that only steady funding mechanisms will ensure success in the *Illinois Jobs Now* plan.

For the reason above and in accordance with Article IV, Section 9(b) of the Illinois Constitution, I return House Bill 669 to the House, where it originated, vetoed in its entirety.

Sincerely,
s/Pat Quinn
Governor

August 14, 2009

To the Honorable Members of the Illinois House of Representatives,
96th General Assembly:

Today, I veto House Bill 3705.

This legislation would require persons who operate "neighborhood vehicles" to obtain liability insurance and to have the vehicles registered and titled with the Secretary of State.

On Monday, August 10th 2009, I signed House Bill 2455, now Public Act 96-0279. This Act re-termed “neighborhood vehicles” as “non-highway” vehicles and subjected them to the mandatory insurance provisions under Article VI of Chapter 7 of the Illinois Vehicle Code.

However, the definition of “neighborhood vehicles” in House Bill 3705 conflicts with the definition provided for in the recently-enacted law, House Bill 2455. House Bill 3705’s definition of neighborhood vehicles is problematic: the vehicles contemplated in House Bill 3705 do not meet certain federal safety requirements. This would prohibit their registration by the Secretary of State. Accordingly, approving this legislation would contradict existing law. Lacking any policy rationale for doing so, I decline to affix my signature to this bill.

For the reasons above, and in accordance with Article IV, Section 9(b) of the Illinois Constitution, I return House Bill 3705 to the House, where it originated, vetoed in its entirety.

Sincerely,
s/Pat Quinn
Governor

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Acevedo replaced Representative Lang in the Committee on Rules on September 30, 2009.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on September 30, 2009, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the bills be reported “approved for consideration” and be placed on the order of Second Reading: HOUSE BILLS 1522, 1526, and SENATE BILLS 226, 1180 and 1466.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Counties & Townships: HOUSE BILLS 4624 and 4625.
Elementary & Secondary Education: SENATE BILL 315.
Executive: SENATE BILLS 941, 1471, 1514 and 2109.
Personnel and Pensions: SENATE BILL 2011.
Revenue & Finance: HOUSE BILL 4599 and SENATE BILL 2093.
State Government Administration: SENATE BILL 1732 and HOUSE JOINT RESOLUTION
CONSTITUTIONAL AMENDMENT 37.
Railroad Industry: HOUSE BILL 4626.

The committee roll call vote on the foregoing Legislative Measures is as follows:

3, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Acevedo(D) (replacing Lang)
Y Turner(D)

A Black(R), Republican Spokesperson
A Schmitz(R)

VETO MOTIONS SUBMITTED

Representative Osmond submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 1115 do pass, the Governor's Specific Recommendations for Change notwithstanding.

Representative Tracy submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 237 do pass, the Governor's Specific Recommendations for Change notwithstanding.

Representative Fortner submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 723 do pass, the Governor's Specific Recommendations for Change notwithstanding.

Representative Bassi submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 3325 do pass, the Governor's Specific Recommendations for Change notwithstanding.

Representative Tryon submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 170 do pass, the Governor's Specific Recommendations for Change notwithstanding.

Representative Tryon submitted the following written motion, which was placed on the order of Motions:

MOTION

I move that HOUSE BILL 1322 do pass, the Governor's Specific Recommendations for Change notwithstanding.

Representative McCarthy submitted the following written motion, which was placed in the Committee on Rules:

MOTION

I move to accept the specific recommendations of the Governor as to HOUSE BILL 1098 in manner and form as follows:

AMENDMENT TO HOUSE BILL 1098
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 1098 on page 4, line 7, by replacing "2010" with "2011"; and on page 4, line 10, by replacing "2008" with "2009"; and on page 4, line 13, by replacing "2009" with "2010".

Representative Eddy submitted the following written motion, which was placed in the Committee on Rules:

MOTION

I move to accept the specific recommendations of the Governor as to HOUSE BILL 613 in manner and form as follows:

AMENDMENT TO HOUSE BILL 613
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 613 on page 4, by replacing lines 20 through 26 with "communications with bidders".

Representative Pihos submitted the following written motion, which was placed in the Committee on Rules:

MOTION

I move to accept the specific recommendations of the Governor as to HOUSE BILL 547 in manner and form as follows:

AMENDMENT TO HOUSE BILL 547
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 547 on page 11, by deleting lines 3 through 8.

Representative Brauer submitted the following written motion, which was placed in the Committee on Rules:

MOTION

I move to accept the specific recommendations of the Governor as to HOUSE BILL 3642 in manner and form as follows:

AMENDMENT TO HOUSE BILL 3642
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 3642 on page 2, line 22 by replacing "July 1, 2009" with "January 1, 2010".

Representative Watson submitted the following written motion, which was placed in the Committee on Rules:

MOTION

I move to accept the specific recommendations of the Governor as to HOUSE BILL 725 in manner and form as follows:

AMENDMENT TO HOUSE BILL 725
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend House Bill 725 on page 2, by replacing lines 8 though 14 with "courses into school foreign language curricula"; and
on page 2, by replacing lines 18 through 23 with "into school foreign language curricula"; and
on page 3, by deleting line 1; and
on page 28, by replacing lines 11 through 16 with "major".

Representative Saviano submitted the following written motion, which was placed in the Committee on Rules:

MOTION

I move to accept the specific recommendations of the Governor as to HOUSE BILL 1015 in manner and form as follows:

**AMENDMENT TO HOUSE BILL 1015
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS**

Amend House Bill 1015 on page 12, by deleting lines 20 through 26; and
on page 14, by deleting lines 22 through 26; and
on page 15, by deleting lines 1 and 2.

INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 4630. Introduced by Representative Myers, AN ACT concerning transportation.

HOUSE BILL 4631. Introduced by Representative Saviano, AN ACT concerning transportation.

HOUSE RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

HOUSE RESOLUTION 560

Offered by Representative Flowers:

WHEREAS, In 2005, the Medicare Rights Center (MRC) published "Medicare: A National Treasure for Forty Years"; the Medicare program was created as part of the Social Security Amendments of 1965, and the program will celebrate its 44th anniversary on July 30, 2009; and

WHEREAS, The MRC's findings are still valid, to wit: the Medicare program has become a national treasure, reflecting the nation's commitment to the health and independence of older Americans and Americans with disabilities by providing health care coverage to 45 million people; and

WHEREAS, The original design of the Medicare program - its universality, shared risk, simplicity and dependability - created the foundation for its 44 years of success; Medicare's universal nature ensures that virtually all older Americans and many people with disabilities receive the health care they need, while Medicare pools risk in order to share the financial burdens of illness across healthy and sick individuals and affluent and low-income families; for 44 years, Medicare has guaranteed coverage for a defined set of benefits at a uniform and predictable cost to all seniors and to people with disabilities regardless of their income, health status, or where they live and has dramatically improved the quality of life for millions of individuals; and

WHEREAS, Among the most important reasons to celebrate the past 44 years of Medicare are: (1) guaranteed access to care for people with Medicare; (2) improved quality of life for older Americans and people with disabilities; (3) administrative efficiency and cost containment; (4) critical support for America's healthcare system; and (5) guaranteed benefits and choice of providers; and

WHEREAS, Prior to Medicare, only half of older adults had health insurance; private insurers were unable or unwilling to provide comprehensive, affordable health care coverage to the growing aged population, who were either too old or too sick and therefore too high an insurance risk; through the guarantee of Medicare coverage, the federal government established protections for all people with Medicare that ensure that everyone - including those battling costly illnesses - have access to covered services; and

WHEREAS, Medicare is the second largest source of federal spending for HIV care and treatment, and approximately one out of every five HIV-positive Americans receiving regular medical care depends, at least in part, on the Medicare program; and

WHEREAS, Medicare has also improved access to care in other ways; for example, Medicare was, and continues to be, instrumental in reducing disparities in access and coverage for racial and ethnic minority groups; and

WHEREAS, A 2001 survey demonstrates that people with Medicare are generally more satisfied with their health care than are persons under age 65 who are covered by private insurance; people with Medicare report fewer problems getting access to care, greater confidence about their access, and fewer instances of financial hardship as a result of medical bills; Medicare creates access to health care across many dimensions: access to physician services; access to necessary care; and reduced financial barriers to care; older Americans with Medicare experience comparatively fewer financial barriers to care; and

WHEREAS, By the year 2030, 20 percent of the U.S. population - 77 million people - will be eligible for Medicare, compared to the 14 percent of Americans who are Medicare-eligible today; while Medicare gives all Americans a sense of security knowing their parents, grandparents, friends and neighbors can access the health care they need, before long the next generation of Americans will need to count on Medicare too; and

WHEREAS, Thanks to Medicare, millions of Americans are able to afford life-saving care, but Medicare also improves the quality of life for older Americans in other ways; for example, Medicare is also a social safety net that has lifted millions of people out of poverty; in fact, since Medicare was created in 1965, poverty among the elderly has been reduced by nearly two-thirds; by financing health care services, Medicare safeguards beneficiaries and their families from the ruinous costs of medical treatments and prevents individuals from spending unmanageable proportions of their incomes on medical care or being pushed into poverty by their medical bills; in addition, life expectancy has increased by three years and more people are living past the age of 85 than ever before, while disability rates among the elderly are decreasing; with improvements in Medicare coverage for preventive services, such as breast and prostate cancer screening, and advances in care management for people with chronic conditions, further reductions in morbidity and disability can be expected; and

WHEREAS, Equally important in assessing Medicare's success is Medicare's cost-effectiveness; Medicare has consistently contained health care costs better than private health plans; analysis of cumulative spending over a 30-year period further illustrates Medicare's ability to control costs over time; Medicare has been able to accomplish this cost-containment record, in part, by using its resources more efficiently, assessing the clinical effectiveness of services when making coverage decisions and when setting payment rates for certain services; and

WHEREAS, Medicare's payment structure supports the United States' health system infrastructure; for example, Medicare supports the nation's teaching hospitals and educational opportunities for health care professionals, through enhanced payments; by supporting graduate education for physicians and other providers, Medicare benefits all Americans, whether or not they are covered by Medicare; Medicare also provides extra support to hospitals that serve a disproportionate number of low-income patients and to rural hospitals, which are often more heavily dependent on Medicare reimbursement than other facilities; Medicare also provides enhanced payments to rural health clinics and Federally Qualified Health Centers in medically underserved areas to ensure that care is available for vulnerable people; and

WHEREAS, Medicare is the largest single payer for services provided by the 7,000 home health agencies nationwide; moreover, Medicare is an essential part of the entire U.S. economy as well as a pillar of the health system; and

WHEREAS, Medicare is simple, popular and reliable; seniors are very satisfied with the Medicare program; Medicare's success is related to the unparalleled choice and availability of physicians and health care services that it offers people; and

WHEREAS, Medicare has served Americans well; it is equally available to all seniors and to people with disabilities, regardless of health or financial status, and realizes the right to health care for many of America's most vulnerable individuals; Medicare continues to symbolize a rational, just and systematic approach to health care access for all Americans; and

WHEREAS, The enactment of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) has prompted significant changes to the Medicare program; the MMA

establishes a new outpatient prescription drug benefit - Medicare Part D - for people with Medicare coverage, and replaces Medicaid drug coverage with the new Part D program for people who receive health coverage from both Medicare and Medicaid; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we celebrate the past 44 years of Medicare and urge the United States Congress to make sure that the millions of seniors and Americans with disabilities who rely on it will be able to enjoy its dependability and simplicity in the years to come; Medicare's successes to date should guide future changes to the program, so that it can continue to ensure access to care, improve quality of life, support the health care system, and enjoy broad support among the people whom it helps every day; and be it further

RESOLVED, That strengthening Medicare and improving the Medicare Part D drug program should be a vital part of any reform of the American health care system; and be it further

RESOLVED, That, given the history and successes of the Medicare program, the United States Congress and the President of the United States should immediately reconsider the "Single Payer" option based on the Medicare model for adoption as the primary component of a national health reform plan, so that all of the people in America can have full access to comprehensive, quality health care in the most cost-effective and efficient manner possible; and be it further

RESOLVED, That suitable copies of this resolution be delivered to President Barack Obama and each member of the Illinois Congressional delegation.

HOUSE RESOLUTION 569

Offered by Representative Ford:

WHEREAS, President Obama committed to working with Congress to pass comprehensive health reform in order to control rising health care costs, guarantee an individual his or her choice of medical care provider, and assure high-quality, affordable health care for all Americans; and

WHEREAS, Nearly a century after Teddy Roosevelt first called for reform, the cost of health care in the United States weighs down the economy; and

WHEREAS, Rapidly escalating health care costs are crushing family, business, and government budgets as illustrated by the fact that employer-sponsored health insurance premiums have doubled in the last 9 years, a rate 3 times faster than cumulative wage increases, and those health care costs are also adversely affecting our economic competitiveness in the global economy, as American companies compete against companies in other countries that have dramatically lower health care costs; and

WHEREAS, The United States spent approximately \$2.2 trillion on health care in 2007, or \$7,421 per person (nearly twice the average of other developed nations); and

WHEREAS, Americans spend more on health care than on housing or food and, moreover, if rapid health cost growth continues, by 2025 one out of every 4 dollars in our national economy will be tied up in the health system; and

WHEREAS, In an effort to develop solutions to the health care crisis, the present administration is working together with members of Congress, doctors and hospitals, businesses and unions, and other key health care system stakeholders, to enact comprehensive health care reform; and

WHEREAS, The Obama administration's goals for health care reform, on which there is a wide consensus, include: reduction in the long-term growth of health care costs for businesses and government; protection of families from bankruptcy or debt because of health care costs; establishment of a system that provides an individual with a guaranteed choice of doctors and health plans; investment in prevention and wellness; improvement in patient safety and quality of care; assurance of affordable, quality health coverage for all Americans; maintenance of health insurance coverage following a job change or job loss; and the elimination of barriers to coverage for people with pre-existing medical conditions; and

WHEREAS, The State of Illinois will benefit from comprehensive health reform because it will have the beneficial effect of lowering State expenditures for healthcare in the Medicaid program, the All Kids (healthcare program for every uninsured child in Illinois), FamilyCare (healthcare coverage to parents living with their children 18 years old or younger), the Illinois Comprehensive Health Insurance Plan (program for all Illinois residents who are unable to obtain private health insurance coverage), and health care insurance premiums for State employees; and

WHEREAS, The citizens of Illinois will derive numerous benefits from a health care system that provides quality health care for all at a reasonable and predictable cost; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge President Obama and the United States Congress to take immediate action to adopt meaningful health care system reform in keeping with the Obama administration's articulated goals; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to President Obama, the Majority Leader and Minority Leader of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and to each member of the Illinois congressional delegation.

HOUSE RESOLUTION 576

Offered by Representative Ford:

WHEREAS, Large banks have received Troubled Asset Relief Program (TARP) funds to save them in these difficult times; and

WHEREAS, Smaller banks did not have access to TARP funds; and

WHEREAS, Many community banks invested in government-sponsored enterprises, which were highly rated by the government and thought to be secure by these community banks, but then created significant losses to the banks through the downturn in the economy through no fault of the banks themselves; and

WHEREAS, Community banks make loans to persons and businesses in the community, but they have been unable to do all they can because of a lack of capital; and

WHEREAS, Community banks will be important to the recovery and restabilization of community housing, especially housing affected by the current foreclosure crisis; and

WHEREAS, Community banks also invest in the community through their philanthropic works; and

WHEREAS, Community banks throughout the United States would be affected, recapitalized, and saved through appropriate legislation; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge Congress to pass legislation supporting banks that did not receive TARP funds and were affected by the government-sponsored enterprise fallout to allow those banks to go back 5 years for deductions of losses rather than the current allowance of 2 years; and be it further

RESOLVED, That a suitable copy of the legislation be presented to each member of the Illinois congressional delegation.

HOUSE RESOLUTION 582

Offered by Representative Monique Davis:

WHEREAS, The members of the Illinois House of Representatives and State Representative Monique D. Davis resolve to find proper solutions to the problems that face the citizens of our State and the nation; and

WHEREAS, Recent studies by the National Health and Nutrition Examination Survey suggest that an estimated 61 percent of U.S. adults are currently overweight or obese; and

WHEREAS, In addition to possible psychological repercussions, obesity can lead to numerous health conditions, including heart attack, stroke, high blood pressure, diabetes, knee and joint problems, various types of cancer, and death; 300,000 deaths each year in the United States are associated with obesity; and

WHEREAS, Studies from the University of New Hampshire have found that 18 to 24 year olds are on the path toward chronic health diseases; the studies found that, from a group of more than 800 undergraduates, at least one-third of UNH students were overweight or obese, 8 percent of men had metabolic syndrome, 60 percent of men had high blood pressure, and more than two-thirds of women were not meeting their nutritional needs for iron, calcium, or folate; and

WHEREAS, The prevalence rate of obesity in college students has doubled over the past 10 years;

the rise is partly attributed to an increasing number of colleges and universities contracting meals out to fast food chains, such as McDonald's, Domino's Pizza, or Taco Bell; and

WHEREAS, There is an absence of fresh and healthy food choices at many universities in the United States and a lack of understanding of how unhealthy food choices lead to health problems; and

WHEREAS, The United States government, like the Illinois General Assembly, has a responsibility to provide for the safety and welfare of the citizenry; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United States President and Congress to pass legislation that would regulate the nutritional content of the food that universities, particularly historically black universities, offer to their students on campus in order to decrease the nation's obesity problems; and be it further

RESOLVED, That a suitable copy of this resolution be presented to President Barack Obama and the members of the Illinois congressional delegation.

HOUSE RESOLUTION 588

Offered by Representative Cross:

WHEREAS, September 11th is known throughout the country and recognized by the State of Illinois as National Firefighters Day to honor the estimated 1,140,900 firefighters that serve across the United States; and

WHEREAS, It is largely unknown that for every firefighter in the country there are roughly 3 volunteer firefighters, and in the State of Illinois, which has an estimated 45,000 firefighters, roughly 31,000 are volunteer firefighters; and

WHEREAS, Just as all our firefighters are courageous, volunteer firefighters serve hundreds of communities in Illinois and face the same dangers with the same amount of bravery; and

WHEREAS, In the past 10 years, there has been an average of 1,684,200 fires in the United States each year; an average of 3,597 Americans lose their lives each year in fire-related tragedies and, of them, 107 are heroic firefighters dying in the line of duty; and

WHEREAS, These firefighters do not lose their lives in vain but do so at the attempt to save lives, property, and the general well being of others; and

WHEREAS, Volunteer firefighters undergo training, educate others, and perform their duties at their own expense and only for the benefit of knowing that someone was helped in some way; and

WHEREAS, It is important to never forget the duties of our Illinois volunteer firefighters; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we recognize the day of September 11th as Illinois Volunteer Firefighters' Day and thank the men and women of volunteer fire services who devote themselves to the protection of others at the risk of their own lives day after day by maintaining a constant state of readiness in the battle against fires and other life threatening conditions; and be it further

RESOLVED, That a suitable copy of this resolution be presented to David B. Foreman, State Fire Marshal, and John Swan, President of the Illinois Firefighters Association.

HOUSE RESOLUTION 600

Offered by Representative Dunkin:

WHEREAS, The Comptroller has the primary regulatory authority over the Illinois cemetery industry; and

WHEREAS, The Comptroller's Cemetery Care and Burial Trust Department has regulatory oversight over certain for-profit cemeteries that accept consumer funds held in trust and also licenses funeral homes and cemeteries that sell pre-need arrangements in advance of death; and

WHEREAS, The Cemetery Care Act gives the Comptroller statutory authority to conduct investigations of unlawful practices with respect to the operation and maintenance of cemeteries in Illinois; and

WHEREAS, The Cemetery Care Act gives the Comptroller broad statutory authority to revoke a cemetery's license for any violation of the Act, including the care and maintenance of a cemetery and the opening and closing of graves; and

WHEREAS, The Comptroller is under a statutory mandate to examine at least annually every licensee who holds \$250,000 or more in its care funds, and the Comptroller shall have free access to the office and places of business and to such records of all licensees and of all trustees of the care funds of all licensees; and

WHEREAS, Providing a proper and respectful burial with reverence and dignity for our loved ones is something every person and family should expect and demand, especially after the horrifying reports of grave desecrations and other unseemly practices at Burr Oak Cemetery in Alsip; and

WHEREAS, The public needs assurance that the Comptroller is effectively regulating, providing adequate oversight, and disciplining owners, management, and employees of Illinois cemeteries that are not in compliance with the Illinois Cemetery Protection Act, Illinois Cemetery Care Act, the Illinois Pre-Need Cemetery Sales Act; and other applicable laws; and

WHEREAS, Complaints about other cemetery problems and the apparent lack of basic cemetery oversight continue surfacing throughout Illinois; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Auditor General is directed to conduct a performance audit of the Comptroller's Cemetery Care and Burial Trust Department; and be it further

RESOLVED, That the audit include a review and audit of policies and procedures currently in place to identify control weakness that could have contributed to severe violations committed by the Burr Oak Cemetery and other documented violations that have occurred recently and make recommendations for improvements, including but not limited to the following:

- (1) The Comptroller's compliance with State law regarding investigation of unlawful practices of Illinois cemeteries' operation and maintenance;
- (2) The Comptroller's procedures for the evaluation, tracking and timeliness of investigation of allegations and complaints received regarding the operation and maintenance of Illinois cemeteries;
- (3) The adequacy of audit procedures performed when conducting annual audits and on-site reviews;
- (4) The adequacy of the required qualifications of the cemetery care audit staff, including a review of field staff, supervisory and management training programs and monitoring of audit staff activities, efficiency and effectiveness;
- (5) The Comptroller's procedures for determining the need for and nature of any recommended discipline, fines, and license revocation;
- (6) The Comptroller's procedures for conducting follow-up activities to ensure that violations cited in audits and investigations are implemented and corrective action is taken on a timely basis; and be it further

RESOLVED, The Illinois Comptroller and any other entity or person that may have information relevant to this audit should cooperate fully and promptly with the Auditor General's Office in the conduct of this audit; and be it further

RESOLVED, That the Auditor General commence this audit as soon as possible and distribute this report upon completion in accordance with Section 3-14 of the Illinois State Auditing Act; and be it further

RESOLVED, That a copy of this resolution be delivered to the Auditor General and the Illinois Comptroller.

HOUSE RESOLUTION 609

Offered by Representative Chapa LaVia:

WHEREAS, The members of the Illinois House of Representatives are pleased to congratulate the members of the Aurora Latin American Club on the occasion of the club's 50th anniversary; and

WHEREAS, The Aurora Latin American Club was formed on September 20, 1959 by Mexican-American citizens who migrated to Aurora from Texas during the 1950s-1970s in their search for the American Dream; and

WHEREAS, The founders of the Aurora Latin American Club saw a need to establish a formal social network that would unite fellow Mexican-Americans as accepted members of a group with a shared language, traditions, and values; and

WHEREAS, The Aurora Latin American Club helps its members develop skills critical for cross-cultural communications, tolerance for differences, trust and consensus-building, collaborative work habits, and the use of persistence and creativity to solve problems; and

WHEREAS, The Aurora Latin American Club seeks to instill patriotism in its members through active involvement in the American political process; the organization has also had a vision of Hispanics gaining the acknowledgement and respect of the citizens of the City of Aurora and the State of Illinois; and

WHEREAS, The Aurora Latin American Club members' cultural traditions and activities promote Hispanic pride, education, and leadership for its members and their families, as well as increased civic and economic participation in the City of Aurora and the State of Illinois; and

WHEREAS, The Aurora Latin American Club has helped establish patterns of importance in the lives of people from Mexican-American heritage and facilitated their assimilation and acculturation in Aurora, thus becoming an Aurora institution; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the date of September 20, 2009 as "Aurora Latin American Club 50th Anniversary Day" in the State of Illinois and congratulate the members of the Aurora Latin American Club on the occasion of the club's 50th anniversary; and be it further

RESOLVED, That we ask the citizens of the State of Illinois to celebrate the many contributions that the Aurora Latin American Club has given the people of the City of Aurora and the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Aurora Latin American Club as a symbol of our esteem and respect.

HOUSE RESOLUTION 615

Offered by Representative Ford:

WHEREAS, During these difficult economic times, it is more important than ever that every member of our society be afforded fair opportunities, especially in the pursuit of higher education; and

WHEREAS, Appropriate guiding principles for government endeavors are found in the Preamble of the Illinois Constitution which states, in part, that "We, the People of the State of Illinois ... in order to provide for the health, safety and welfare of the people; ... eliminate poverty and inequality; ... provide opportunity for the fullest development of the individual; ... - do ordain and establish this Constitution for the State of Illinois"; and

WHEREAS, Those principles should likewise guide the United States government in the creation and operation of policies and programs that provide opportunity for the fullest development of the individual; and

WHEREAS, It is proper to consider how society may offer another chance to a person who made serious mistakes, especially when the person strives through higher education to reach his or her fullest development and improve the circumstances in which he or she and any dependents live, learn, and work; and

WHEREAS, Another chance for those who made mistakes in their lives but who seek to improve their lives through higher education would be created by modifying the federal student aid eligibility requirements in a manner so that a student's prior mistakes, as reflected in a prior criminal conviction, would not stand in the way of the student attaining his or her fullest development; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Illinois State House of Representatives urges the Congress to modify existing student financial assistance eligibility

provisions in a manner so that a student's prior mistakes, as reflected in a prior criminal conviction, would not stand in the way of the student attaining his or her fullest development; and be it further

RESOLVED, That suitable copies of this resolution be delivered to President Obama, and each member of the Illinois Congressional delegation.

HOUSE RESOLUTION 618

Offered by Representative Dugan:

WHEREAS, The cornerstone for the Kankakee County Courthouse was placed on October 2, 1909; the building was designed by architect Zachary Taylor Davis and constructed by W.F. Stillwell; and

WHEREAS, The County Board of the County of Kankakee formed the Kankakee County Historic Preservation Commission on April 10, 2007; the Commission recommended to the Kankakee County Board that the Kankakee County Courthouse be designated a Kankakee County Landmark; and

WHEREAS, On July 14, 2009 a resolution was passed by the Kankakee County Board designating the Kankakee County Courthouse the first official Kankakee County historic landmark; and

WHEREAS, On October 4, 2009 the celebration of the Centennial of the laying of the cornerstone of the Kankakee County Courthouse will be held; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we proclaim October 4, 2009 as Kankakee County Courthouse Centennial Day in the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Kankakee County Clerk as a symbol of our respect.

HOUSE RESOLUTION 636

Offered by Representative Burns:

WHEREAS, Hales Franciscan is the only historically African-American, all-male, Catholic college preparatory high school in the State of Illinois; and

WHEREAS, Hales Franciscan was founded in 1962 with the sole purpose of ensuring that African-Americans had access to a college preparatory education in the Catholic and Franciscan traditions; and

WHEREAS, For the past 50 years, Hales Franciscan has produced African-American male leaders who have embraced academic excellence, athletic tradition, community involvement, and leadership by example; and

WHEREAS, In 2005, Hales Franciscan embarked on the largest capital improvement campaign in the school's history, which includes the renovation of all classrooms, the installation of new energy-efficient windows and lighting, and the construction of new science and math labs; and

WHEREAS, In addition to creating a better academic environment, the school also plans to create a new home for the football, track, soccer, and lacrosse programs with the installation of an 8-lane track and stadium; and

WHEREAS, Hales Franciscan is grateful to the many individuals and businesses that have supported the renovation campaign, including the Polk Brothers Foundation, Basketball Hall of Famer Michael Jordan, and several members of the community; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the administration, faculty, and students of Hales Franciscan High School and their community of supporters for the commencement of the school's ambitious capital improvement campaign; and be it further

RESOLVED, That we designate the weekend of October 8-11, 2009, as "Hales Franciscan High School Rededication Weekend" in the State of Illinois in honor of this momentous occasion; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the principal of Hales Franciscan High School as a symbol of our respect and esteem.

HOUSE RESOLUTION 639

Offered by Representative Reis:

WHEREAS, Because biodiesel fuel is made in the United States from renewable resources, such as soybeans, its use decreases our dependence on foreign oil and contributes to the growth of our economy; and

WHEREAS, Biodiesel fuel is better for the environment than petroleum diesel because biodiesel generates fewer emissions than petroleum diesel; and

WHEREAS, Over 170 companies have invested millions of dollars in the development of biodiesel manufacturing plants in the United States and are actively marketing biodiesel; and

WHEREAS, The production capacity of these plants is approximately 2.7 billion gallons of biodiesel per year; and

WHEREAS, The federal government currently offers biodiesel tax incentives, including an income tax credit, a blenders' excise tax credit, and a small producers' tax credit; and

WHEREAS, The federal Energy Improvement and Extension Act of 2008 (Public Law 110-343) extended certain biodiesel tax incentives for one year; and

WHEREAS, These federal biodiesel tax incentives are scheduled to expire December 31, 2009 but should be extended in order to continue to promote the development, production, and use of biodiesel fuel; and

WHEREAS, The Biodiesel Tax Incentive Reform and Extension Act of 2009 (S. 1589) was filed recently in the United States Senate to, among other things, extend the biodiesel income and excise tax credits through December 31, 2014; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United States Congress to quickly enact legislation to extend the tax incentives for domestic biodiesel production; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the President of the United States and each member of the Illinois congressional delegation.

HOUSE RESOLUTION 641

Offered by Representative Mulligan:

WHEREAS, The Illinois Teachers' Retirement Insurance Program (TRIP) was enacted in 1995 to provide a comprehensive program of health care coverage for retired teachers and their eligible dependents; and

WHEREAS, The number of enrollees in TRIP for FY 2009 was 64,636; overall, membership is expected to increase in FY 2010 to 67,260 or 4.1%; in comparison, the number of enrollees in FY 2000 was 38,446 or 42.8% less than the FY 2009 enrollment; and

WHEREAS, On average, the cost of TRIP is increasing at a faster rate, 9.9%, than the overall funding sources of the program, which are increasing at a rate of 5.4%; and

WHEREAS, In reviewing FY 2008 and FY 2009 revenues and expenditures, it is evident that the funding sources for TRIP are not adequate; and

WHEREAS, Projections by the Department of Healthcare and Family Services show TRIP is projected to have a negative cash balance of \$81 million by FY 2011; this amount will grow substantially in future fiscal years without changes in the funding or benefits, or both, of TRIP; and

WHEREAS, Since its inception, TRIP has experienced escalating costs to the program; increased retiree premiums, increased active teacher and State contributions, and school district financial assistance are recent changes to the TRIP program in FY 2003 and FY 2005 to keep the program solvent; and

WHEREAS, The most recent changes made to TRIP were established in Public Act 93-679; the legislation (1) raised the premiums for retired teachers; (2) increased the contributions from active teachers, school districts, and the State; and (3) included a continuing appropriation of \$13 million per fiscal year for 3 years to maintain benefit enhancements, which expired at the end of FY 2007; and

WHEREAS, Public Act 93-679 also established a 10-member Teacher Retirement Insurance

Program Committee that is appointed by the Governor; the committee is required to meet at least 4 times a year to consider and make recommendations on issues affecting TRIP that shall be based on the consensus of the committee; and

WHEREAS, The Teacher Retirement Insurance Program Committee has not been appointed by the Governor, despite the dire fiscal projections for TRIP in FY 2011; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Governor to appoint and convene the Teacher Retirement Insurance Program Committee as mandated by Public Act 93-679 to begin stakeholder discussions on maintaining the solvency of TRIP in FY 2011 and beyond; and be it further

RESOLVED, That that a copy of this resolution be delivered to the Governor.

HOUSE JOINT RESOLUTION 71

Offered by Representative Jefferson:

WHEREAS, Patients in Illinois hospitals require a year-round supply of donated blood; and

WHEREAS, There are no substitutes or replacements for blood; and

WHEREAS, Each year, the Illinois Coalition of Community Blood Centers collects more than 570,000 blood donations to care for patients in 175 hospitals throughout 71 Illinois counties; and

WHEREAS, The Coalition's nearly 1,500 blood collection professionals in Illinois are integral to the donation process and serve as the stewards of the State's blood supply; and

WHEREAS, The professionalism exuded by these dedicated individuals helps to ensure repeat donations, which is central to maintain an adequate blood supply; and

WHEREAS, Blood collection professionals provide a critical service to the communities and patients they support by helping to improve and save lives on a daily basis; and

WHEREAS, The State of Illinois recognizes the importance of blood donation through the Blood Donation Act, the Employee Blood Donation Leave Act, and the Organ Donor Act; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the week of September 13-19, 2009 as "Blood Collectors Week" in the State of Illinois; and be it further

RESOLVED, That we encourage the citizens of Illinois to join in the life-saving work of blood collection organizations by donating blood in their communities.

HOUSE JOINT RESOLUTION 72

Offered by Representative Flowers:

WHEREAS, Osteoporosis is characterized by low bone mass and the deterioration of bone tissues, which increase the risk of bone fractures; osteoporosis primarily affects older women due to the significant physical changes that affect bone health during and following menopause; and

WHEREAS, Osteoporosis is often called the "silent disease" because bone loss occurs without symptoms and may not be detected until a fracture occurs; bone mineral density tests can be performed to identify osteoporosis and determine risk for fractures before they occur; and

WHEREAS, Osteoporosis treatment focuses on proper nutrition, exercise, and fall prevention; in addition, medications may slow or stop bone loss, increase bone density, and reduce fracture risk; building strong bones in childhood and adolescence can help prevent osteoporosis later in life; almost 90 percent of bone mass is acquired by age 18 in women and by age 20 in men; and

WHEREAS, In the U.S., 10 million individuals, 80 percent of whom are women, are estimated to have osteoporosis and almost 34 million more are estimated to have low bone mass, placing them at increased risk for the disease; half of women over age 50 will have an osteoporosis-related fracture in their life; fractures due to osteoporosis are most likely in the hip, spine, and wrist, but any bone can be affected; and

WHEREAS, In 2005, osteoporosis was responsible for more than 2 million fractures, costing an estimated \$19 billion in direct care; by 2025, osteoporosis-related fractures are expected to cost approximately \$25.3 billion in health costs; approximately 75 percent of health care costs of

osteoporosis for women over the age of 45 are paid for by Medicare and Medicaid; each year, 140,000 nursing home admissions are the direct result of a hip fracture; and

WHEREAS, Federal and State legislation has been introduced in an effort to increase funding for medical research on osteoporosis, expand bone health and osteoporosis education programs, and improve access and reimbursement for tests to diagnose the disease; and

WHEREAS, At least thirty-five states and Puerto Rico have enacted laws relating to osteoporosis, the majority of which establish state-wide education, public awareness and prevention programs; the states of California, Florida, Georgia, Illinois, Kansas, Kentucky, Louisiana, Maryland, Missouri, New York, North Carolina, Oklahoma, Tennessee, and Texas all mandate insurance coverage for osteoporosis-related diagnostic and treatment services, including technologies approved by the Federal Drug Administration (FDA) and bone density measurement; and

WHEREAS, 20 ILCS 2305/8.2 requires the Department of Public Health to establish, promote, and maintain an osteoporosis prevention and education program to promote public awareness of the causes of osteoporosis, options for prevention, the value of early detection, and treatments; and

WHEREAS, 215 ILCS 5/356z.6 requires insurance coverage for medically necessary bone mass measurement and for the diagnosis and treatment of osteoporosis on the same terms and conditions that are generally applicable to coverage for other medical conditions; and

WHEREAS, 320 ILCS 25/3.15 provides coverage for any prescription drug used in the treatment of osteoporosis under the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act; and

WHEREAS, The month of May is National Osteoporosis Awareness and Prevention Month and the date of October 20 is World Osteoporosis Day; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the date of May 10, 2009 and every May 10 thereafter as "Osteoporosis Day" in the State of Illinois.

HOUSE JOINT RESOLUTION 73

Offered by Representative Pritchard:

WHEREAS, 2009 H1N1 Novel Pandemic influenza, the illness commonly referred to as "Swine Flu", is a combination of human and animal strains of the influenza virus; and

WHEREAS, The 2009 H1N1 influenza virus is a human influenza virus that is spread from human to human; and

WHEREAS, The U.S. Department of Agriculture (USDA) indicates that the 2009 H1N1 influenza currently circulating among humans is a "novel" flu strain, with a genetic makeup that is unique and has not been seen before in humans, birds, or pigs; and

WHEREAS, Since last spring and the onset of the 2009 H1N1 influenza outbreak in humans, the USDA has consistently asked the media to stop calling this "novel" pandemic virus "swine flu"; and

WHEREAS, The U.S. Centers for Disease Control and Prevention (CDC) and the World Health Organization (WHO) have both pledged to cease using the term "Swine Flu"; and

WHEREAS, According to the CDC and the U.S. Department of Homeland Security (DHS), human beings cannot contract H1N1 influenza from eating pork products; and

WHEREAS, Pork production is a major component of Illinois' agriculture industry, with cash receipts from farm marketings totaling approximately \$800 million in 2007; and

WHEREAS, Illinois ranks fourth in the nation in the number of hogs and pigs on farms; and

WHEREAS, U.S. hog farmers have lost almost \$4.6 billion since September 2007 as feed prices rose to a record high last year and the recession and the H1N1 influenza outbreak curbed pork demand in 2009; and

WHEREAS, By continuing to mislabel the 2009 H1N1 influenza virus that is affecting human populations around the world, the media is causing undue and undeserved harm to America's agriculture industry, especially pork producers; and

WHEREAS, Continued use of the term "Swine Flu" is damaging to Illinois' pork industry, as well as the State as a whole; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING

HEREIN, that we urge all State agencies, their representatives, and all private media outlets to cease using the term "Swine Flu" and further urge them to use the term "2009 H1N1 Influenza" in its place; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Governor, the Director of the Illinois Department of Agriculture, and the Director of the Illinois Department of Public Health.

HOUSE JOINT RESOLUTION 74

Offered by Representative Eddy:

WHEREAS, The State of Illinois and the federal government have the authority to legislate costly and complex changes to elementary and secondary education; and

WHEREAS, The State and federal government frequently advance mandates that are either not funded or under-funded and without specific evidence of the need for such mandate; and

WHEREAS, These unfunded or under-funded mandates are policies that require school district action but do not provide adequate monetary or instructional resources to implement, seriously undermining the ability of school districts to focus their limited resources on appropriate educational activities; and

WHEREAS, Compliance with new mandates places the financial responsibility of implementing State mandates onto the local taxpayers, which has resulted in a shift of percentage funding from the State, from 37.8% in 2000 to 34.6% in 2008; and

WHEREAS, In the past 17 years, 105 unfunded or under-funded education bills have become law; and

WHEREAS, Specifically, in 2009 alone, the General Assembly passed 74 education bills to the Governor, 19 of which, or, nearly 26% were new unfunded or under-funded mandates on school districts; and

WHEREAS, The most costly under-funded mandates on school districts are special education services, which in 1975 the federal government pledged to incrementally fund up to 40% of the states' excess cost of the mandated programs, but never upheld its commitment; and

WHEREAS, The 2008 Illinois State Board of Education School Districts' Special Education and Expenditures and Receipts Report showed that local school districts have to fill a \$900 million gap in annual special education funding that is beyond their special education tax levy because of inadequate State and federal funding to meet the special education mandate; and

WHEREAS, Either legislating unfunded or under-funded mandates must end or more effort should be made to follow the dictates of the Illinois State Mandates Act to make the necessary appropriations for the incurred costs attributable to all state mandates that are directed to school districts; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that a Blue Ribbon Committee on Elementary and Secondary Education Mandates be established within the State Board of Education to review state mandates on school districts to determine whether the mandates (1) are necessary for the health and safety of students in compliance with federal laws, (2) are essential to the academic integrity of Illinois public school systems, (3) exceed federal requirements, or (4) superfluous to the core academic programs of Illinois school districts; and be it further

RESOLVED, That the Committee shall include members from organizations representing the interests of school administrators, school board members, teacher unions, regional superintendents, vocational education, the business community, and State Board of Education personnel, and others as deemed necessary by the Committee; and be it further

RESOLVED, That the Committee shall make recommendations to the General Assembly on the elimination of unnecessary and costly mandates in the School Code and the Administrative Code by March 31, 2010.

At the hour of 12:09 o'clock p.m., the House Perfunctory Session adjourned.

